

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2004 JUN 15 P 2:32

U.S. DISTRICT COURT
DISTRICT OF MASS.

PAUL J. McNALLY, as he is TRUSTEE,
MASSACHUSETTS LABORERS' HEALTH AND
WELFARE FUND and NEW ENGLAND LABORERS'
TRAINING TRUST FUND; JAMES MERLONI, JR.,
as he is TRUSTEE, MASSACHUSETTS LABORERS'
PENSION FUND and MASSACHUSETTS LEGAL
SERVICES FUND; MARTIN F. WALSH, as he is
TRUSTEE, MASSACHUSETTS LABORERS'
ANNUITY FUND,

Plaintiffs

vs.

DERBES REALTY TRUST,
Defendant

and

WEYMOUTH CO-OPERATIVE BANK,
Trustee

C.A. No. 03-12609 DPW

MOTION FOR EXTENSION OF TIME TO FILE
FOR ENTRY OF DEFAULT JUDGMENT

Plaintiffs Paul J. McNally, as he is Trustee, Massachusetts Laborers' Health and Welfare Fund, et al, herein respectfully move this honorable Court for an extension of time until June 29, 2004 in which to file Plaintiffs' Motion for Entry of Default Judgment. As grounds therefore, Plaintiffs state as follows:

1. The parties have been attempting to resolve the above-captioned matter.
2. Judicial resources, as well as the parties' resources, will be conserved if the matter can be settled promptly and efficaciously.

WHEREFORE, Plaintiffs seek an extension of time until June 29, 2004 in which to file for Entry of Default Judgment in this matter.

Respectfully submitted,

PAUL J. MCNALLY, as he is
TRUSTEE, MASSACHUSETTS
LABORERS' HEALTH AND WELFARE
FUND, et al,

By their attorneys,

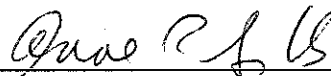


Anne R. Sills, Esquire
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Dated: June 15, 2004

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion for Extension of Time to File for Entry of Default Judgment has been served by certified and first class mail upon Derbes Realty Trust at 44 Branch Street, Quincy, MA 02169 this 15th day of June, 2004.



Anne R. Sills, Esquire